HON'BLE THE CHIEF JUSTICE SRI G.S. SINGHVI
AND
HON'BLE SRI JUSTICE G.V. SEETHAPATHY

WRIT PETITION No.26674 of 2006

Between:

Badam Balakrishna

... Petitioner

And

Municipal Corporation of Hyderabad,
Rep. by its Commissioner,
Hyderabad & others

... Respondents

:: O R D E R ::

Counsel for the petitioner : Ms. M. Uma Devi for
Shri G. Ram Gopal

Counsel for respondent Nos.1 and 2: Smt. G. Jyothi Kiran

Counsel for respondent Nos.3 to 5 : Shri A.V.Gopala Rao for
Shri Ashok Kumar Agarwal

19.02.2007

Per G.S. Singhvi, CJ

In this petition filed under Article 226 of the Constitution of India, the petitioner has prayed for issue of a mandamus to respondent Nos. 1 and 2 to take action in furtherance of notice dated 17.06.2002 issued under Section 452 of the Hyderabad Municipal Corporation Act, 1955 (for short 'the Act') for demolition of the illegal constructions raised by respondent Nos. 3 to 5.

At the commencement of hearing, Shri A.V. Gopala Rao made a statement that he does not have the instructions.

Smt. Jyothi Kiran, learned Standing Counsel for Municipal Corporation, on instructions, made a statement that Writ Petition No. 1602 of 2007 filed by respondent Nos. 3 to 5 against the final notice

issued under Section 636 of the Act was dismissed as withdrawn on 12.02.2007 and in that view of the matter, the disputed construction will be demolished today.

In view of the statement made by the learned counsel for respondent Nos. 1 and 2, the writ petition is disposed of as infructuous.

As a sequel to disposal of the writ petition as infructuous, W.P.M.P.No.26674 of 2006 filed by the petitioner for interim relief is also disposed of as infructuous.

G.S. SINGHVI, CJ

G.V. SEETHAPATHY, J

February 19, 2007
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